

WEST VIRGINIA -ELECTION CONNECTION-

Your source for Election News from Secretary of State Natalie E. Tennant

Issue 7 – November 22, 2011

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24 Weeks Until the May Primary!

On Tuesday, November 22 there will be exactly 24 weeks until the May Primary! The Secretary of State's Office has distributed our calendars for the 2012 election. It has dozens of deadlines, requirements, and procedures listed. If you need more calendars, please feel free to contact us and we will get them to you as soon as possible.

Secretary of State's Office Closed November 24 and 25

The Secretary of State's Office will be closed on November 24 and 25 for the Thanksgiving Holiday.

Questions concerning ES&S and election system patents

The Secretary of State's Office has received several phone calls from counties about a fax the counties received from Mr. Jimmie S. Howell of Fairfield Resources International, Inc. In his fax, Mr. Howell indicates that ES&S has violated several patents of Franklin Inventions, LLC, in their voting equipment. Secretary Tennant has been in contact with the ES&S President Aldo Tessi. Please monitor your email this afternoon for communication from Mr. Tessi and Secretary Tennant regarding this situation.

Changes To The Sale Of Voter Registration Lists

There has been a process change relating to the sale of Voter Registration lists which must start immediately.

The U. S. Election Assistance Commission (EAC) conducts an audit of the Help America Vote Act (HAVA) funds at least every five years. West Virginia's audit was

started in 2009 and just recently ended. This audit discovered issues with program income as it relates to the sale of voter registration lists by this office and the counties.

Federal Law requires that the revenue generated from these sales must be remitted to the HAVA fund and reported to the EAC. This revenue must be reported because the lists are generated from the Statewide Voter Registration System which was purchased with federal dollars. Our argument during the audit was that we were adhering to our State Code. However, we were informed that in no instance does state law take precedence over federal law.

Therefore, beginning immediately, you must set up a separate, interest bearing account in which to deposit these funds. By July 31 of every year you will be required to remit the revenue plus interest to this office to be placed in the HAVA fund. You will need to track who purchases the list and the amount of revenue generated. Layna Brown, the HAVA Director in the Secretary of State's Office, has prepared a sample spreadsheet for you to use. You can obtain a copy of that spreadsheet by emailing Layna at lbrown@wvsos.com.

To clarify, you are only required to remit the revenue plus interest generated to the HAVA fund, not the exact cost of the list. You are able to deduct the cost of preparing the list from the amount charged to the purchaser.

This office has prepared legislation to change current state code to reflect the federal mandate regarding the sale of voter registration lists. Please contact Layna if you have any questions.

"2011: West Virginia's Year" Preview Available Now

Right now on the Secretary of State's website, you can see a preview trailer of the year in review video, which is currently in production. The "trailer" runs about 50 seconds, and gives a peek at what will be included in the full length video. Special elections, special sessions, redistricting, the NASS conference, and vote-by-mail will all be included. Check it out now at www.wvsos.com!

Find the Secretary of State's Office on Facebook and Twitter

If you have a Facebook account (about 800 million people in the world do!) or a Twitter account (about 200 million people do!) you can follow the West Virginia Secretary of State's Office. This is one of the best ways to stay updated with what is going on at the State Capitol. You can see pictures and videos, and you may also find out something that wasn't issued as a press release or included in the Election Connection. **And as a hint:** Press releases are first published through Facebook and Twitter. So if you want to know the "news" even before reporters find out, "Like" us on Facebook and "Follow" us on Twitter. Just go to www.facebook.com and search for "Office of West Virginia Secretary of State Natalie E. Tennant" and go to www.twitter.com and search for "Natalie E. Tennant."

Have an idea?

Is there something that you want to see addressed in the Election Connection? The goal of this newsletter is to keep everyone up to date about challenges facing election officials in West Virginia and to inform everyone about best practices that are being put into place. If you have an idea for a topic, have a question, or if you think there is a subject that election officials around the state would be interested in, please do not hesitate to contact the Secretary of State's Office. You can contact the Elections Division by email at elections@wvsos.com or (304) 558-6000 or Jake Glance directly at jglance@wvsos.com. Your input is appreciated.